

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

<b>STUART WAYNE TOMPKINS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>1:10CV978</b>
	)	
<b>JOEL HERRON, et al.,</b>	)	
	)	
<b>Defendant(s).</b>	)	

**ORDER AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff's motions for discovery and to stay (Docket Nos. 20 and 22) are **DENIED** since no discovery period has been established at this time and there is no adequate ground for a stay.

**IT IS FURTHER RECOMMENDED** that Plaintiff's motion for a temporary restraining order and a preliminary injunction (Docket No. 21) be denied for lack of good cause.

          /s/ P. Trevor Sharp            
United States Magistrate Judge

Date: February 22, 2011